Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Working paper submitted by the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirms that, under article III (1) of the Treaty, each non-nuclear-weapon State party to the Treaty undertakes to accept safeguards "for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices".

2. In that regard, the Group of Non-Aligned States Parties to the Treaty also reaffirms the importance and calls for the strict observance of article III (3) of the Treaty, by which the required safeguards

> shall be implemented in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this article and the principle of safeguarding set forth in the preamble of the Treaty.

3. The Group of Non-Aligned States Parties to the Treaty fully recognizes that the International Atomic Energy Agency (IAEA), an independent intergovernmental, science- and technology-based organization, is the sole competent authority responsible for the verification of the fulfilment of safeguard obligations assumed by States parties under the Treaty, with a view to preventing the diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices, as well as the global focal point for nuclear technical cooperation.

4. The Group of Non-Aligned States Parties to the Treaty, while supporting the verification activities of IAEA, underlines the importance of strict observance of the IAEA statute and relevant comprehensive safeguards agreements in conducting verification activities.

5. In that connection, the Group of Non-Aligned States Parties to the Treaty, while stressing the importance of safeguards, underlines the essential responsibility of

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IAEA in maintaining and observing fully the principle of confidentiality regarding all information related to the implementation of safeguards in accordance with the Agency's statute and safeguards agreements. Since the Agency is the only organization that receives highly confidential and sensitive information on the nuclear facilities of member States, and given the undesirable incidences of leaks of such information, the Group emphasizes that the confidentiality of such information shall be fully respected and that the regime, for its protection, needs to be significantly strengthened. In the view of the Group, safeguards-related confidential information should not be provided in any way to any party not authorized by the Agency. The Group recalls IAEA General Conference resolution GC(60)/RES/13, paragraph 38, in which the IAEA Director General is urged to exercise the highest vigilance in ensuring the proper protection of classified safeguards information and is requested to continue to review and update the established procedure for the protection of classified safeguards information within the secretariat.

6. The Group of Non-Aligned States Parties to the Treaty stresses that all States members of IAEA shall strictly observe its statute and that nothing should be done to undermine its authority. Furthermore, the Group calls upon all States to avoid any pressure or interference in the Agency's activities, especially its verification process, that could jeopardize its efficiency and credibility.

7. The Group of Non-Aligned States Parties to the Treaty emphasizes the need to achieve worldwide application of the comprehensive safeguards system and calls upon all nuclear-weapon States and all States not party to the Treaty to place all their nuclear facilities under IAEA full-scope safeguards.

8. The Group of Non-Aligned States Parties to the Treaty calls upon the nuclear-weapon States to undertake to accept full-scope safeguards. That is to be set forth in an agreement to be concluded with IAEA in accordance with its statute, for the exclusive purpose of the verification of the fulfilment of the nuclear-weapon States' obligations assumed under the Treaty. In the view of the Group, such agreement would be concluded with the aim of:

(a) Ensuring full compliance with the obligations assumed under article I of the Treaty;

(b) Providing baseline data regarding the fulfilment of obligations on nuclear disarmament and preventing further diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices;

(c) Strictly observing the prohibition of the transfer, which is inconsistent with the provisions, object and purpose of the Treaty, of any nuclear-related equipment, information, material and facilities, resources or devices, and the extension of assistance in the nuclear, scientific or technological fields to States not party to the Treaty, without exception.

9. The Group of Non-Aligned States Parties to the Treaty, mindful of the importance of article III of the Treaty in verifying the peaceful nature of nuclear programmes, reiterates that obligations under that article provide credible assurances for States parties to engage in the transfer of nuclear equipment, material and technology for peaceful purposes. Therefore, States parties to the Treaty are called upon to refrain from imposing or maintaining any restriction or limitation on the transfer of nuclear equipment, material and technology to other States parties with comprehensive safeguards agreements.

10. The Group of Non-Aligned States Parties to the Treaty stresses the statutory role of IAEA on nuclear disarmament, including applying safeguards on nuclear materials derived from the dismantling of nuclear weapons, and recognizes the Agency's capability of verifying nuclear disarmament agreements.

11. The Group of Non-Aligned States Parties to the Treaty strongly believes that the nuclear-weapon States, in implementing their unequivocal undertaking to totally eliminate their nuclear arsenals, should undertake further efforts, in a transparent, irreversible and internationally verifiable manner, to eliminate all types of nuclear weapons, deployed and non-deployed, as well as their nuclear weapon-related materials, including through unilateral, bilateral, regional and multilateral measures. Furthermore, the Group calls upon the nuclear-weapon States to dismantle or convert for peaceful uses facilities and related equipment for the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

12. In that regard, the Group supports the development of appropriate legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of fissile material from nuclear weapons or other nuclear explosive devices. The Group further urges the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to examine such legally binding verification arrangements and the means of making them operational, with the aim of ensuring the realization of that objective.

13. The Group of Non-Aligned States Parties to the Treaty recalls action 16 of the recommendations and follow-on actions of the 2010 Review Conference and urges the nuclear-weapon States to commit to declaring to IAEA all weapons-grade fissile material and to place such material, as soon as practicable, under the supervision of IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, in order to ensure that such material remains permanently outside military programmes. The Group calls upon the 2020 Review Conference to conduct an in-depth evaluation of the fulfilment of those commitments through the establishment of an international mechanism for monitoring the implementation of the action, which should be made mandatory for the nuclear-weapon States.

14. The Group of Non-Aligned States Parties to the Treaty also calls for the 2020 Review Conference to establish a standing committee to monitor and verify the nuclear disarmament steps undertaken unilaterally or through bilateral agreements by the nuclear-weapon States.